

BORA LASKIN LAW LIBRARY
3 1761 03331 5169

UNIVERSITY OF TORONTO
FACULTY OF LAW

CIVIL APPEALS & JUDICIAL REVIEW

Analysis, Process and Strategy
in Civil Proceedings

Case
Volume I (B)

JOHN A. CAMPION
PAUL F. MONAHAN
FASKEN CAMPBELL GODFREY
Toronto, Ontario
(416) 366-8381

Spring 1997

Storage

Prepared with the Assistance of
Sonya Maestre, Scott Wallace
and Andrew Burns

KF
9058
ZA2
C35
1997
v.1 (B)
c.1

A19-7382

BORA LASKIN LAW LIBRARY

DEC 19 1996

FACULTY OF LAW
UNIVERSITY OF TORONTO

UNIVERSITY OF TORONTO
FACULTY OF LAW

CIVIL APPEALS & JUDICIAL REVIEW

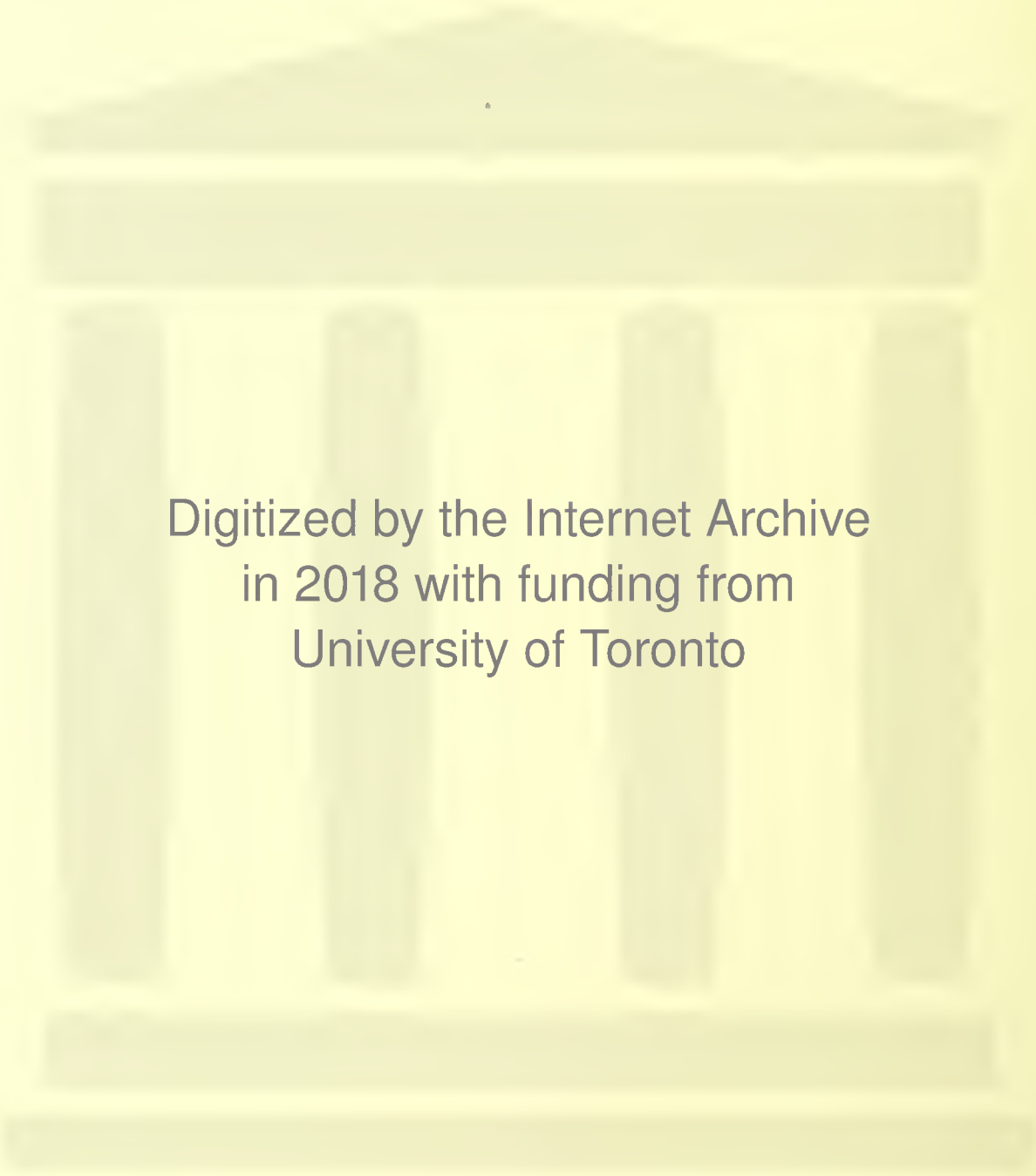
Analysis, Process and Strategy
in Civil Proceedings

Case
Volume I (B)

JOHN A. CAMPION
PAUL F. MONAHAN
FASKEN CAMPBELL GODFREY
Toronto, Ontario
(416) 366-8381

Spring 1997

Prepared with the Assistance of
Sonya Maestre, Scott Wallace
and Andrew Burns



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

PART II - JUDICIAL REVIEW

INTRODUCTION

CHAPTER 1 - Jurisdiction

Judicial Review, *Ontario Manual of Civil Litigation*, (Carswell, 1994) pp. 2-135 - 2-161

Administrative v. Judicial or Quasi-Judicial Decisions

Re Robertson et al. and Niagara South Board of Education (1973), 1 O.R. (2d) 548 (Div. Ct.).

Administrative Decision Violating a Statute

Re Metropolitan Board of Commissioners of Police and Ontario Municipal Employees' Retirement Board (1985), 53 O.R. 83 (Div. Ct.); reversed 32 O.A.C. 322 (C.A.).

Constitutional Validity versus Exercise of Statutory Power

Re Service Employees International Union, Local 204 and Broadway Manor Nursing Home et al. (1984), 48 O.R. (2d) 225 (C.A.).

Exhaustion of Alternative Remedies

Brode, P. "When it is Premature to Apply for Judicial Review?" case comment (1993), *Advocates Quarterly*, Vol. 15, p. 352.

Re Woodglen and Co. Ltd. and City of North York et al. (1983), 42 O.R. 385 (Div. Ct.).

Re Gage and Attorney-General for Ontario (1992), 90 D.L.R. (4th) 537 (Div. Ct.).

Ressel v. Board of Directors of Chiropractic (1990), 41 O.A.C. 321 (Div. Ct.).

CHAPTER 2 - Parties and Standing

Noddle v. City of Toronto et al. (1982), 37 O.R. (2d) 421 (H.C.J.).

CHAPTER 3 - Evidence

Re Keeprite Workers' Independent Union et al. and Keeprite Products Ltd. (1980), 29 O.R. (2d) 513 (C.A.).

Re Ontario Public Service Employees Union et al. and The Queen in Right of Ontario (1984), 45 O.R. (2d) 70 (H.C.J.).

Securicor Investigations & Security Ltd. v. Ontario Labour Relations Board (1985), 10 Admin. L.R. 189 (Div. Ct.).

CHAPTER 4 - Remedial Power

Re Nicholson and Haldimand-Norfolk Regional Board of Commissioners of Police (1980), 31 O.R. (2d) 195 (C.A.).

CHAPTER 5 - Due Process

Mullan, David J. "Natural Justice - The Challenges of *Nicholson*, Deference Theory & The Charter" in Neil R. Finkelstein and Brian MacLeod Rogers eds., *Recent Developments in Administrative Law*, Toronto: Carswell, 1987, pp. 1-52.

Re Collins et al. and Pension Commission of Ontario et al. (1986), 56 O.R. (2d) 274 (Div. Ct.).

Re Miramichi Agricultural Exhibition Assoc. Ltd. v. N.B. (Lotteries Commissioner) (1995), 126 D.L.R. (4th) 557 (N.B.C.A.).

Hyrciuk v. Ontario, [1996] O.J. No. 3831 (C.A.)

CHAPTER 6 - Non-Procedural Review: Jurisdiction & Discretion

Re Metropolitan General Hospital and Minister of Health
(1979), 25 O.R. (2d) 699 (H.C.J.).

Re Apotex Inc. and Attorney-General for Ontario et al. (1984),
47 O.R. (2d) 176 (H.C.J.).

